Appl. No. 09/163,778 Atty. Docket No. P-116 Amdt. Dated March 9, 2005 Amdt. to Office Action September 9, 2004 Customer No. 27752

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

09/163,778

Applicant(s)

Allan Lepine

Filed

September 30, 1998

Title

CANINE MILK SUBSTITUTE

TC/A.U.

1761

Examiner

Chhaya D. Sayala

Conf. No.

5876

Docket No.

P-116

Customer No.

27752

AMENDMENT AFTER 1ST OFFICE ACTION UNDER 37 CFR §1.111(c)

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

INTRODUCTORY REMARKS

Dear Sir:

In response to the Office Action dated September 9, 2004 for the above-identified patent application, please consider the following amendments and remarks. Attached hereto is a Petition for Extension of Time, and the fee required under 37 C.F.R. § 1.17(a)(1), providing for a timely response up to and including March 9, 2005.

Amendments begin on page 2 of this paper.

Remarks begin on page 5 of this paper.

Page 1 of 9

Procter & Gamble – I.P. Division

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FACSIMILE TRANSMITTAL SHEET AND CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

TO: Examiner Chhava D. Savala - United States Patent and Trademark Office

Fax No.

703-872-9306

Phone No. 571-272-1405

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on March 9, 2005, to the above-identified facsimile number.

FROM: LINDA S. JERNIGAN (Typed or printed name of person signing Certificate)

Fax No. 513-622-3300

Phone No. 513-622-2811

Listed below are the item(s) being submitted with this Certificate of Transmission:**

1) Fee Transmittal - orig. w/copy

2) Amendment - 9 pages

3) Petition for 3 mo. Ext. - orig. w/copy

Supplemental IDS – 3 pgs. orig. w/copy

PT0SB08 – 1 page – orig. w/copy

6) Reference Article - 7 pgs. Comments:

Number of Pages Including this Page: 28

Inventor(s): Allan Lepine

S.N.: 09/163,778

Filed: September 30, 1998

Docket No.: P116

**Note: Each paper must have its own certificate of transmission, OR this certificate must identify each submitted paper.

FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision. Effective December 8, 2004

TOTAL AMOUNT OF PAYMENT (\$1200)

Ç	omplete if Known
Application Number	09/163,778
Confirmation Number	5876
Filing Date	September 30, 1998
First Named Inventor	Allan Lepine
Examiner Name	Chhaya D. Sayala
Art Unit	1761
Attorney Docket No.	P116

TOP OF BAYMENT	FEE CALCULATION (continued)			
1. [X] The Director is hereby authorized to charge indicated fees submitted on this form, credit any over payments, and	5. ADDITIONAL FEES Fee Description	Fee Paid		
charge any additional fee(s) during the pendency of this	Extension for reply within 1" month (\$120)	0		
application to:	Extension for reply within 2 nd month (\$450)	[]		
Danosii Account Number: 16-2480	Extension for reply within 3 rd month (\$1,020)	[1020]		
Deposit Account Name: The Procter & Gamble Company	Extension for reply within 4th month (\$1,590)			
FEE CALCULATION	Extension for reply within 5th month (\$2,160)) []		
2. BASIC FILING FEE - Large Entity	(\$180)	[180]		
FILING SEARCH EXAMINATION	Information Disclosure Statement fee (\$180)	[100]		
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	37 CFR 1.16(c) Late Oath/Declaration (\$130)	D.		
Application Fee Paid	(nonprovisional)	0		
Type Utility (\$300) (\$500) (\$200)	37 CFR 1.17 (q) Missing Parts (provisional) (\$50)	IJ		
(Total = \$1000) []	Non-English specification (\$130)	Π		
Design (\$200) (\$100) (\$130) (Total = \$430) [] Reissuc (\$300) (\$500) (\$600)	Notice of Appeal (\$500)	IJ		
(Total = \$1400) []	Filing a brief in support of an appeal (\$500)	0		
Piovisional Inna, ioc	Request for oral hearing (\$1,00	0) []		
3. APPLICATION SIZE FEE: Sheets of Spec and Drawings				
	Acceptance of unintentionally delayed claim for priority			
(\$250 for each 50 sheets in excess of 100, except for	under 35 U.S.C. 119, 120, 121, or 365 (a) or (c) (\$1,37	O) []		
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4. EXTRA CLAIM FEES FOR UTILITY AND REISSUE:				
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** or number previously paid, if greater; For Reissues, see below				
Fee Description	1			
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Independent claims in excess of 3 (\$200 per claim)				
Multiple dependent claim, if not paid (\$360)				
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SUBTOTAL (4) (\$)[]	Complete (if an	plicable)		

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SUBMITTED BY Name (Print/Type)	Cynthia L. Clay	Registration No.	54,930	Telephone	(513) 622-0291
	(f) (f) ((Autorncy/Agent)		Date	3/9/05
Signature	1 Chronthing	<u>x.(()0x</u>		he the USPTO to or	neess) an upolication.

This collection of information is required by \$7 CFR 1.17. The information is required to Office or ratio accurate by the public which is to fite (used by the USPTO to process) on application. Confidentiality is governed by 35 U.S.C. 172 and 37 CFR 1.14. This collection is estimated to take 12 implies to complete, including gathering, preparing, and cubmitting the completed application form to the USPTO. Thus will vary depending upon individual cases. Any outlineans on the manual of time you are required to complete this form enaltar suggestions for robusing application form to the USPTO. Thus will vary depending upon individual cases. Any outlineans on the manual of time you are required to complete this form enaltar suggestions for robusing application form to the USPTO. Thus will vary depending upon individual cases. Any of the manual of time you are required to complete this form enaltar suggestions for robusing application form to the USPTO. The will vary depending upon individual cases. Any of the manual of time you are required to complete this form enaltar suggestions for robusing application form to the USPTO. The will vary depending upon individual cases. Any of the manual of time you are required to complete this form enaltar suggestions for robusing application form to the USPTO. The will vary depending upon individual cases. Any of the manual of time you are required to complete this form enaltar suggestions for robusing application. For the property of the use of the u

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FEE TRANSMITTAL for FY 2005

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Patent and Trademark	Umoe: U.S. DEPARTMENT OF
Co	omplete if Known
ion Number	09/163,778
	5876
	September 30, 1998
	Allan Lepine
	Chhaya D. Sayala
	1761
	P116
	Parent and Trademark Co ion Number pation Number pate med Inventor er Name t y Docket No.

TOTAL AMOUNT OF PAYMENT FEE CALCULATION (continued) METHOD OF PAYMENT 5. ADDITIONAL FEES 1. [X] The Director is hereby authorized to charge indicated fees Fee Paid submitted on this form, credit any over payments, and Fee Description (\$120)1 Extension for reply within 1st month charge any additional fee(s) during the pendency of this (\$450)П Extension for reply within 2nd month application to: (\$1,020) [1020] Extension for reply within 3rd month Deposit Account Number: 16-2480 Deposit Account Name: The Procter & Gamble Company (\$1,590) Extension for reply within 4th month (\$2,160) Extension for reply within 5th month FEE CALCULATION 2. BASIC FILING FEE - Large Entity [180] (\$180) Information Disclosure Statement fee FILING SEARCH EXAMINATION <u>FEE</u> FEE FEE 37 CFR 1.16(e) Late Oath/Declaration Application O (\$130)(nonprovisional) Fee Paid 37 CFR 1.17 (q) Missing Parts (provisional) П (\$50)Type (\$200) (\$500) (\$300)Utility (Total = \$1000) [] O (\$130)Non-English specification (\$130)(\$200)(\$100)Design (Total = \$430) \Box (\$500) 0 Notice of Appeal (\$600) (\$500)(\$300)Reissue (Total = \$1400) () (\$500) O Filing a brief in support of an appeal (Total = \$200)Provisional filing fee (\$1,000) [] Request for oral hearing 3. APPLICATION SIZE FEE: 0 Sheets of Spec and Drawings Acceptance of unintentionally delayed claim for priority (\$250 for each 50 sheets in excess of 100, except for under 35 U.S.C. 119, 120, 121, or 365 (a) or (c) (\$1,370) [] sequence and program listings) Other: **(\$)**[] SUBTOTAL (2)+(3) 4. EXTRA CLAIM FEES FOR UTILITY AND REISSUE: Fee Fee from Extra **Below** Paid Claims () -20** = [] xÐ = Ü Total Claims П Independent Claims [] - 3** = [] x 0 Multiple Dependent claims: ** or number previously paid, if greater, For Reissues, see below Fee Description Claims in excess of 20 (\$50 per claim) Independent claims in excess of 3 (\$200 per claim) Multiple dependent claim, if not paid (\$360) **Reissue: each independent claim over 3 and more than in the original patent (\$200 per claim) **Reissue claims: each claim over 20 and more than original patent (\$50 per claim) (\$) [1200] SUBTOTAL(5)

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				Comple	te (if applicable)	
SUBMITTED BY Name (Print Type)	Cynthia L. Clay	Registration No.	54,930	Telephone	(513) 622-0291	
Signature	10 (10	(Attorney/Agent)	<u> </u>	Date	3/9/05	
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This collection of information is required by \$7 CFR 1.17. The information is required to obtain or retain appreciation.

Confidentiality is governed by \$5 U.S.C. 122 and \$7 CFR 1.18. This collection is expirated to take 12 beingtes to complete, including gathering, preparing, and submitting the completed of the year of the property of the public which is form and/or engagestons for redocting application form to the USFTO. Time will vary depending upon individual case. Any comments of a surround of time you are required to complete this form and/or engagestons for redocting the barden, should be sent to the Chief information Officer, U.S. Person and Trademark Officer, U.S. Department of Commence, P. O. Box 1450, Alexandria, VA 22313-1450, DO NOT this barden, and the property of the public which is to the Chief information Officer, U.S. Person and Trademark Officer, U.S. Department of Commence, P. O. Box 1450, Alexandria, VA 22313-1450, DO NOT this barden, and the public of the public which is to file (and by the USFTO OF The USFTO OF The Commence of Commence, P. O. Box 1450, Alexandria, VA 22313-1450, DO NOT this barden, and the public which is the public which is the public which is the USFTO or Packet of the USFTO OF T